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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Hiromichi Ohta, et al.

Serial No. 09/615,883

Filed July 14, 2000

LOW-RESISTANCE ITO  
THIN FILM AND METHOD FOR  
MANUFACTURING SUCH A FILM

)  
) Before the Examiner  
)  
) Jason Vincent V. de la Peña  
)  
) Group Art Unit 1775  
)  
) July 27, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on:

July 27, 2001  
(Date of Deposit)

Vincent O. Wagner  
Name of Registered Representative

*Vincent O. Wagner*  
Signature

July 27, 2001  
Date of Signature

RESPONSE TO RESTRICTION REQUIREMENT

Hon. Assistant Secretary and  
Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

In response to the Office Action dated April 27, 2001, please consider the following. Please provide any extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 23-3030, but not to include any payment of issue fees.

REMARKS

In response to the restriction requirement entered in the Office Action of April 27, 2001, Applicants provisionally elect Invention II, claims 17 through 25, for examination in this application. This election is made with traverse

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AUG 03 2001  
TC 1700

09/06/2001 DCAPEL 0005:07 2:030 09615883  
01 FC:116



1775

WENMM/SB/21 (12/00)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/615.883
Filing Date	July 14, 2000
First Named Inventor	Hiromichi Ohta, et al.
Group Art Unit	1775
Examiner Name	Jason Vincent V. de la Pena
Attorney Docket Number	10110-3

Total Number of Pages in this Submission

3

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/ Response to Restriction Requirement	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	<b>RECEIVED</b> AUG 03 2001 TC 1700
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Vincent O. Wagner, Reg. No. 29,596 Woodard, Emhardt, Naughton, Moriarty & McNett
Signature	<i>Vincent O. Wagner</i>
Date	July 27, 2001

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on this date:

Typed or printed name Vincent O. Wagner

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*Vincent O. Wagner*

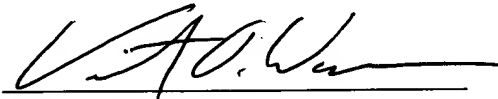
Date

July 27, 2001

10110-3:VOW:136288/nkg

The MPEP provides that a restriction requirement is not appropriate between differing sets of claims where examination of the claims together would not present a serious burden on the Examiner, even though the claims themselves may be drawn to independent or distinct inventions. (MPEP §803) As noted by the Examiner, Inventions I and II are "related as process of making and product made." It is respectfully submitted that the prior art searching for these related inventions will involve substantial overlap and that the related nature of the claims is such that their examination together will not present a serious burden on the Examiner. On this basis, reconsideration of the entry of this restriction requirement is hereby requested.

Respectfully submitted:



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